

MEMORANDUM FOR Commanders and Staff Agency Chiefs

FROM: 8 FW/CC

SUBJECT: Policy on Requests For Political Asylum and Temporary Refuge

1. This policy letter outlines the procedures to be used in handling requests for political asylum and/or temporary refuge. Because of the sensitivity of such incidents, it is essential the procedures outlined in this letter be closely followed. All personnel must avoid even the appearance of committing the United States Government to any particular course of action. General guidance and procedures are specified in AFI 51-704 and USFK Reg 550-5.
2. Air Force guidance discusses procedures for handling such requests in areas within United States territorial jurisdiction; USFK regulations further narrows the guidance to requests received from foreign nationals within the territory or territorial waters of the Republic of Korea. It is important to clearly understand what is meant by the terms political asylum and temporary refuge. They are defined as follows:

POLITICAL ASYLUM: Protection granted by the United States Government within its territorial jurisdiction to a foreign national who applies for such protection because of persecution or fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

TEMPORARY REFUGE: Protection afforded for humanitarian reasons to any person on a USFK military installation, facility, or vessel within ROK territory or territorial waters, afforded under conditions of urgency and in order to secure the life or safety of such person against imminent danger (such as pursuit by a mob). It normally does not include persons fleeing or hiding from lawful pursuit by law enforcement authorities of the ROK.

3. It is USFK policy **NOT** to grant political asylum at any of its installations. This policy remains the same during peacetime or hostilities. If a request for asylum is received, the requester should be advised to contact the United States Embassy in Seoul and denied access to the installation. However, if there is an imminent threat to the individual's safety or liberty, they will not be expelled from the installation and should be treated the same as an individual seeking temporary refuge (see below). While these individuals may not be confined or restrained, they should be searched for weapons; other necessary measures may be taken to protect the security of this installation and its personnel, especially during hostilities (constant escort and supervision is required).
4. Requests for temporary refuge will be handled differently in peacetime situations vice times of conflict. Such requests will not arbitrarily or summarily be refused. However, no request for temporary refuge will be granted aboard a USAF aircraft, and no requests for refuge will be

granted during any level of hostilities which threaten either U.S. lives or property. The overriding concerns for the security of this installation and its personnel will dictate the above course of action. Requests for refuge may only be granted by the installation commander; if you receive a request for refuge or asylum, immediately contact 8 FW/CC, 8 FW/JA, and AFOSI.

5. Immediate notification of proper authority is important, so if the situation warrants, proper coordination and notification can be made in accordance with the requirements specified in USFK Reg 550-5. These notifications will be made by command authorities. You must ensure proper COMSEC when making these notifications, and release information only on an “as needed” basis. Any questions regarding this policy, or the treatment and disposition of affected persons, should be referred to 8 FW/JA.

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